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April 1, 2019

Via email sturetsk@law.nyc.gov
Samantha Turetsky
Assistant Corporation Counsel
Labor and Employment Division
100 Church Street
New York, NY 10007

Re: Maya Zabar v. NYCDOE, 18 Civ. 6657 (PGG)
Response to Discovery Deficiency Letter of March 19, 2019

Dear Ms. Turetsky:

We write in response to your deficiency letter dated March 19, 2019, which was not received until more than six weeks after we provided discovery responses to you in this matter.

We have reviewed your letter and find your assertions without merit.

With regard to your first bullet point, Ms. Zabar does not have access to these records as she has been reassigned from the High School of Art and Design and did not take the documents when she was reassigned from the school. Moreover, she is no longer on the union executive board and therefore does not necessarily have a right to these documents. Furthermore, Principal Urena should have copies of any minutes from those meetings in his possession, and we request that Defendants produce any documents to us in Principal Urena's possession regarding those minutes.

With regard to your second bullet point, Ms. Zabar does not have access to these records as she has been reassigned from HSAD and did not take the documents when she was reassigned from the school. Moreover, she is no longer on the union executive board and therefore does not necessarily have a right to these documents. Principal Urena should have copies of any minutes from those meetings, and we request that Defendants produce any documents to Ms. Zabar in Principal Urena's possession.

With regard to your second and third bullet points, Ms. Zabar only filed one union grievance on her own which has been provided in her discovery responses. She was involved with supporting other grievances, but the school chapter leader filed the other grievances on behalf of

the entire school staff. Ms. Zabar is not in possession of any other documents responsive to this request.

With regard to your fourth bullet point, Ms. Zabar believes that this paragraph is unclear and confusing and not purported in good faith. Please be more specific what documents you believe in good faith exist that have not been produced.

With regard to your fifth bullet point, Ms. Zabar has provided medical releases, and any responsive documents would be provided by the medical providers in response to defendants' obtaining documents pursuant to those releases.

With regard to your sixth bullet point, Ms. Zabar is confounded why you refer to mzaffosenglishclass@gmail.com in your letter, which is not her email address. Ms. Zabar maintains that these documents requested are not otherwise relevant to her claims.

With regard to your seventh bullet point, Ms. Zabar provided all journal entries in her possession as part of her original response.

With regard to your eighth bullet point, Ms. Zabar has located a few attachments in her files, which are attached as P163-P166. The Excel file is an attachment to P108, and the PDF file is an attachment to P138.

With regard to defendants' deficiencies in its own discovery responses, we do not have a record of receiving any relevant electronic discovery in response to our discovery requests. Please let us know when they will be provided so we can begin depositions.

We do not understand the basis for a protective order in this case, as we do not typically sign protective orders in litigations with the NYCDOE. Please identify specifically what documents you are withholding as a result of the protective order not being executed in the case so we can raise defendants' own deficiencies in failing to provide relevant discovery with Judge Gardephe.

Please propose deposition dates in late April and early May for Principal Manuel Urena and Assistant Principal Lynn Rosales so we can move forward with timely completing discovery in this case.

Please respond to how defendants' deficiencies will be addressed no later than April 8, 2019.

Sincerely,

By: s/_____
Bryan D. Glass, Esq.

Enclosures

Teacher	Subject	C6 Room	C6 period	Assigned AP
Bernstien, A	PE	504	1	unknown
Chrissochos, D	SCI	1002	1	Reingold
Der-Sookias	SCI	1002	1	Reingold
DeSouza, M .6	PE	504	1	unknown
Jutard, P.	FL	601	1	unknown
Robinson, R.	SCI	1002	1	Budney
Spector, K	PE	504	1	unknown
Bencsko, A.	ART	1020	2	Reingold
Farrelly, E	ART	1020	2	Reingold
Filardi, J .8	ART	1020	2	Reingold
Harchol, H.	ART	1020	2	Reingold
Harrington, J	ART	1020	2	Reingold
Jimenez, M.	ART	1020	2	Reingold
Lassen, M	ART	1020	2	Reingold
Lee, B.	ART	1020	2	Reingold
Lee, S.	ART	1020	2	Reingold
Lewis, D.	ART	1020	2	Reingold
McLaughlin, B	ART	1020	2	Reingold
Montesino, Y	SWD	102C	2	unknown - Weaver?
Muazeb, R	SCI	1013	2	unknown
Osborne, G.	ART	1020	2	Reingold
Pasetsky, I	ART	1020	2	Reingold
Spaterella, C.	ART	1020	2	Reingold
Vachiocouras, H	ART	1020	2	Reingold
Weinstein, R	ART	1020	2	Reingold
Bifano, J.	ELA	805	3	Rosales
Chan, K.	MATH	911	3	Budney
Cohn, G	SS	607	3	unknown- Urena?
Ezzard, P	MATH	911	3	Budney
Familia, L	SWD	805	3	unknown- Weaver?
Golden, M	ELA	805	3	Rosales
Heckel, H .6	ART	1119	3	Reingold
Lannon, E	MATH	911	3	Budney
Newman, A	ART	1020	3	Reingold
Richards, N.	SS	607	3	unknown - Urena?
Zaffos, J.	ELA	805	3	Rosales
Altuntas, I	ART	1119	4	unknown
Cheverino, M.	ART	1119	4	unknown
Christensen, N	SWD	805	4	unknown - Weaver?
Edelman, J.	ART	1119	4	unknown
Fernandez, C	ELA	805	4	Rosales

Imperial, A	ELA	805	4	Rosales
McCarthy, W.	SS	607	4	unknown - Urena?
Murphy, M	SWD	102C	5	unknown - Weaver?
Agosto, J. .2	SS	607	6	unknown - Urena?
C. Debellis, F.	ELA	805	6	Rosales
Cabinte, E.	MATH	905	6	Budney
Chan, H	MATH	905	6	Budney
Cohn, P.	SCI	1005	6	unknown
DeJong, M	SWD	102C	6	unknown
Drenica, F.	SS	607	6	unknown - Urena?
Gin, A.	SS	607	6	unknown - Urena?
Kaplan, R	SS	607	6	unknown - Urena?
Liriano, L.	FL	607	6	unknown - Urena?
Marciano, S	SCI	1005	6	unknown
McAlarney, M	MATH	905	6	Budney
McDowell, C.	MATH	905	6	Budney
Ramirez, M	SWD	102C	6	unknown - Weaver?
Sanchez, E.	SWD	102C	6	unknown - Weaver?
Weisberg, S.	MATH	905	6	Budney
Albilis, D	SWD	102C	7	unknown - Weaver?
Bruschi, A	SCI	1117	7	unknown
Connelly, S.	SCI	1117	7	unknown
Davis, E.	SS	607	7	unknown - Urena?
Kavountzis, E.	SWD	102C	7	unknown - Weaver?
Marks, Betina	SWD	102C	7	unknown - Weaver?
Pellegrini, R.	SS	607	7	unknown - Urena?
Richards, S.	SCI	1117	7	unknown
Eckhaus, B.	PE	504	8	unknown
Orlick, S.	SWD	102C	8	unknown - Weaver?
Posso, C.	FL	803	8	Rosales
Rodriguez, J.	PE	504	8	unknown
Savage, A.	SWD	102C	8	unknown - Weaver?
Sorensen, K.	ELA	803	8	Rosales
Staton, A.	SWD	102C	8	unknown - Weaver?
Williams, C	SWD	803	8	Rosales
Young, T.	ELA	803	8	Rosales
Zabar, M.	ELA	803	8	Rosales
Zicopoulos, G	MATH	1013	8	Budney
Rabel, G.	ART	1119	5 6	Reingold
Healy .8 Dean	SS	CAFETERIA		
Hughes, H	FL	CAFETERIA		

Komansky	ESL	6 CLASSES		
McCalla, B	PE AP	NONE		
Orenstien	Librarian	LIBRARY		
Pasukanovic, A	PE	CAFETERIA		
Serrao, A	SS	CAFETERIA		
Winfield, D.	ART	6 CLASSES		



HIGH SCHOOL OF ART AND DESIGN
245 East 56th Street
New York City, NY 10022
Phone: 212 752-4340 Fax: 212 752-4945
www.artanddesignhs.org
Manuel A. Ureña, Principal

48-HOUR NOTICE

Date: 3/29/2018

Name: Maya Zabar

School: 02M630- High School of Art and Design

Address: 245 East 56th Street

RE: Case Number 18-02884X

Dear Maya Zabar:

I have scheduled an appointment for you to meet with me in my office 8:20 am, Tuesday, April 10, 2018. The purpose of this meeting is to investigate an allegation of verbal abuse. Because this conference may lead to disciplinary action, you may bring a union representative with you to the meeting.

You are not to discuss the details of this investigation with anyone at the location of the alleged incident, other than your union representative.

Very truly yours,

Barrington McCalla
Assistant Principal

Maya Zabar

3/29/18

Date

Theresa Budney, AP Math/ Special Education (TBudney@schools.nyc.gov)
Michelle Daly, AP Guidance/ Science (MDaly6@schools.nyc.gov)
Barrington McCalla, AP Safety & Security/Phys. Ed. (BMccall2@schools.nyc.gov)
Sari Pérez, AP Organization (SPerez13@schools.nyc.gov)
Elma Reingold, AP Art/Architecture/CTE (EReingo@schools.nyc.gov)
Lynn Rosales, AP English/S.S./LOTE (LRosales@schools.nyc.gov)